

EXHIBIT C-12



Latest
News
Reviews
Hardware
Features
Videos
Guides

Bestest Bests
Free games
Supporters
Deals
Podcasts
Discord
RSS

Support us
Join our newsletter
Visit our store

Search
Sign in / Create account



If you click on a link and make a purchase we may receive a small commission. [Read our editorial policy.](#)

[Home](#) > [News](#) > [The Outbound Ghost](#)

Outbound Ghost devs DMCA strike their own game and accuse publisher of withholding royalties

"Conradical has not received a single dollar in royalties"



News by [Kaan Serin](#), Contributor
Updated on Feb. 20, 2023

[+ Follow The Outbound Ghost](#)



27 comments

Update: Digerati have provided a statement saying that "Conradical has been timely paid all royalties due to date," and that "Conrad has refused to work with us" to identify issues with ports of *The Outbound Ghost*. The full statement is included below.

Late last year, turn-based indie RPG *The Outbound Ghost* was delisted from Steam after a statement from lead dev Conrad Grindheim claimed his relationship with publisher Digerati had "dissolved." Soon after, Digerati filed a lawsuit against developer Conradical over a breach of contract and "several false defamatory" statements. When reporting on the original news, CJ thought the messy situation could get messier, and he was right. Grindheim has now DMCA'd his own game on console storefronts and accused Digerati of withholding royalties.



[Watch on YouTube](#)

Grindheim's original [Twitter](#) statement centred on the poor quality of console ports and accused Digerati of "profiting from the situation." In response, Digerati's owner Sarah Alfieri posted a video on [Twitter](#) claiming that Grindheim had "unlawfully tampered" with the game's Steam page, failing to perform his obligations of making the game a success. Grindheim says the lawsuit is simply an attempt to "silence me and others."

In his most recent [public video](#), Grindheim shared details of their publishing agreement, saying that copyright owner Conradical was responsible for developing the PC version, while Digerati would "meet the developer's reasonable quality standards" for the console ports. Grindheim argues that Digerati breached that contract by releasing "poor" console versions that either omitted promised localisation options, or featured them with game-breaking bugs. The publisher allegedly "misled" Conradical by releasing ports that didn't comply with the "agreed quality standards."



Advertisement

DIGERATI_000432

Conrad
@ConradicalGames · Follow 

We have DMCA'd our own indie game. Context in this thread.

Please RT  so that everyone who is potentially affected can see ❤️

(1/6)

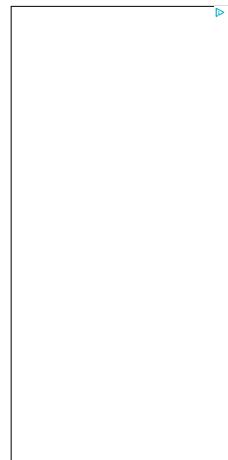
Watch on Twitter

10:39 AM · Feb 16, 2023 

[Read the full conversation on Twitter](#)

 5.2K   Share

[Read 105 replies](#)



Grindheim also claims that "Conradical has not received a single dollar in royalties from the publisher based on sales of the game" and that Digerati have been underreporting revenues. Digerati allegedly entered sub-license agreements with other companies, received upfront payments, and didn't share that information with Conradical. As Grindheim explains in the video, sub-license agreements are common between publishers if they want to release games physically, or in countries like China, but do not have the means to do so.

The Outbound Ghost has been delisted a second time on Steam and GOG, but is still available to purchase on consoles and [The Epic Games Store](#), although who knows how long that will last. It's a shame to see a cute indie game caught up in such a muddy situation, especially since good Paper Mario-likes are so rare. This likely isn't the end of Outbound's legal turmoil, so we'll likely need to wait a little longer before it's available for purchase everywhere.

Digerati have provided the following statement (after we reached out to contact them):

Digerati totally refutes Conrad's statements. Conradical has been timely paid all royalties due to date. Digerati advised Conrad of such payments several hours before he posted the video on February 16th.

Conrad also accuses Digerati of not reporting certain royalty payments. This is another falsehood. We provided Conrad with all statements for each revenue source. We have offered a full audit of our books to Conradical's legal team. They have not exercised this option, but Conrad continues to assert these false claims.

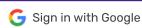
Conrad's comments about the performance of the game is also noted. While the porting is the responsibility of the publisher, it goes without saying that publisher, porting team, and developer need to work together to iron out any bugs and so we can provide the game that everyone wants. We asked Conrad to help identify bugs or issues; however, Conrad has refused to work with us or communicate with Digerati on any channel.

In his videos Conrad also advertises another Kickstarter game when the promises made to the earlier Kickstarter backers of The Outbound Ghost have not yet been honored. Given that Conrad received all the money from the Kickstarter for The Outbound Ghost, Conrad has not attempted to work with Digerati to ensure such keys are given to the donors. Nonetheless, Conrad is getting money to start a different game without focusing on his prior funders. Conrad has not attempted to address his prior funders before starting his next venture.

Needless to say, we are very disappointed that Conrad continues to play out this dispute in the public arena. The matter is currently in the hands of our legal team, and we hope for a quick resolution on these matters.

Rock Paper Shotgun is the home of PC gaming

Sign in and join us on our journey to discover strange and compelling PC games.

[Sign in with email](#)



TOPICS IN THIS ARTICLE

Follow topics and we'll email you when we publish something new about them. [Manage your notification settings](#).

[Business](#)

[+ Follow](#)

[Conradical Games](#)

[+ Follow](#)

[Digerati](#)

[+ Follow](#)

[Indie](#)

[+ Follow](#)

[Platformer](#)

[+ Follow](#)

[+ Follow all topics](#)

[+ See 2 more](#)

Advertisement

Subscribe to the Rock Paper Shotgun Daily newsletter

Get each day's biggest PC gaming stories delivered direct to your inbox.

[Sign up](#)

DIGERATI_000433

ABOUT THE AUTHOR

**Kaan Serin**

Contributor

Kaan is currently an English and Film student who spends more time thinking about food than his degree. Also, trying to cut down on sharing unprompted video game trivia.

COMMENTS

Comments for this article are now closed. Thanks for taking part!

There are 27 comments on this article.

[Show replies](#)[Hide replies](#)[Oldest first](#)[Newest first](#)[Most popular](#) **Lost** #3105

3 months, 2 weeks ago

I hope they get this sorted. It does sound messy. I have no idea why publishers don't resolve this kind of thing amicably early on, rather than it turning into an escalating shitshow. Usually it just involves communicating and listening.

"We've reached out to Digerati"

=

"We've contacted Digerati"

The convoluted phrase "reached out to" is unnecessary. (Sorry, it's a pet hate of mine whenever I read it, similar to when people insert "Like" into sentences as punctuation - not that that applies here!)

Edited 3 months, 2 weeks ago

[Like \(1\)](#)[Hide replies](#) **Alice Bell** (Staff)

3 months, 2 weeks ago

Good comment, thanks.

[Like \(7\)](#) **banski83** #5546

3 months, 2 weeks ago

I bet you love filing TPS reports, too.

[Like \(2\)](#)[Hide replies](#) **Lost** #3105

3 months, 2 weeks ago

Not sure what that is, sorry. My comment was just because I see a lot of posts ending with this phrase.

[Like \(1\)](#)[Hide replies](#) **Iglethal** #8714

3 months, 2 weeks ago

Unless I'm very mistaken it's a joke from the movie "Office Space", which I can highly recommend. :)

[Like \(3\)](#) **Fruits** #4180

3 months, 2 weeks ago

It's the kind of phrase you see, use once and then unwittingly deploy for every instance where it kind of works instead of where it's needed.

Then if for some reason you return to your writing a month later, it becomes glaringly obvious. Arrrgh! (I may be projecting a little here)

and yes, Office Space

Edited 3 months, 2 weeks ago

[Like \(1\)](#) **Lost** #3105

3 months, 2 weeks ago

I'll look out for that film! I loved The Office (UK version - never seen the US remake).

[Like](#) **moderately sized grundus** #8161

3 months, 2 weeks ago

The US remake is massively superior but does fall off a cliff toward the end of its run.

[Like \(2\)](#) **Removed**

3 months, 2 weeks ago

This post was removed by the user.

Vincentv137 #8043

3 months, 2 weeks ago

In my mind, reached out and contacted are two separate things. If I am writing an email to someone and I am awaiting communication from a 3rd party I will say that I have reached out to them, but haven't heard anything back. If myself and that 3rd party have been in open conversation at that point I have contacted them and are working towards a resolution. Typically reached out has a bit of shade associated with it like saying "We are TRYING to talk, but aren't getting anywhere because we are being ignored." Again this is all my take when reading business communications, so YMMV.

[Like \(6\)](#)[Hide replies](#) **Lost** #3105

3 months, 2 weeks ago

They're synonyms.

"Reached out" is metaphorical (since the person didn't really stretch their arms out as the means of communication). It's a tweek synonym for contacted.

Neither "contacted" nor "reached out" imply that a response has been received.

[Like](#)[Hide replies](#) **Jekadu** #3599 (Supporter)

3 months, 2 weeks ago

A comment probe was launched from the Journalism Starship RPS and was confirmed to have made impact, but no data has been returned as of yet.

[Like \(5\)](#)[Hide replies](#) **Lost** #3105

3 months, 2 weeks ago

DIGERATI_000434

Tension mounts, because the Datone Anomaly emissions seem able to bend and chop light into organised packets, causing visual artefacts in all forms of scanning equipment. Some think the anomaly is trying to communicate.

 Like

 **Arkayjya** #8838
3 months, 2 weeks ago

Gonna have to disagree. They're synonyms sure but not perfect ones. Because regardless of whatever definition you'll find, the fact is that usage will trump logic and dictionary definitions every time and in term of usage, "reach out" most often describes a communication that's either one sided/in progress as Vincentv137 is pointing out while contacted is more balanced and used in both cases.

Edited 3 months, 2 weeks ago

 Like (2)

 **ignotas** #3721
3 months, 2 weeks ago

I don't know, there might be a bit of nuance there. I feel like "contacted" implies some kind of reciprocated communication, i.e. sent an email or made a call and got a "we'll get back to you" response. "Reached out to", though, is more how I'd phrase emailing a PR address that may or may not be ignored entirely.

 Like (8) 

 **Sin Vega** #5318
3 months, 2 weeks ago

Yeah, "reached out to" might be a bit of a lifeless stock phrase, but "contacted" implies, well, contact. An email or unanswered phone arguably doesn't count as having contacted someone, necessarily. "Tried to contact" could work for variety's sake if nothing else, but introduces a hint of finality, as though you tried and didn't succeed and thus the matter is settled.

Anywayyyyyee

 Like (8) 

 **Lost** #3105
3 months, 2 weeks ago

It is possible to contact someone without receiving a response. One of the meanings of contact is "communication", which can be one way.

 Like

 **Sin Vega** #5318
3 months, 2 weeks ago

I never said it wasn't, but "reached out" covers situations where you don't know. "Contacted" implied that you know the communication was actually received. You contacted. You made contact.

 Like (3)

 **zal** #1387 (Supporter)
3 months, 2 weeks ago

Yea at least in my job, with emails I have to say "made attempt(s) to contact you" or similar, same if I called and got no answer.

Contact does carry the implications that you completed the communication, and while 99% of the time they got that email and ignored it... it's pretty easy for them to say "oh no I never got that" when you call 30 days later and much as I'd like to call them out on it, I'm typically forced to say "oh well I'm sending it again, and if you DON'T get it. Call me."

In the part of the business world I work within, "contacted" and "contact attempts" are very different things. I don't really use "reached out to..." much but it's definitely more of a "contact attempts" than a "contacted" kind of clause when I see it.

Edited 3 months, 2 weeks ago

 Like (2)

 **Lost** #3105
3 months, 2 weeks ago

"Reached out" is metaphorical (since the person didn't really stretch their arms out as the means of communication). It's a tweek synonym for contacted.

Neither "contacted" nor "reached out" imply that a response has been received.

 Like

 **Steele** #0654
3 months, 2 weeks ago

Contacted implies communication. Communication implies the exchanging of information. If you send someone an email that you don't know they have even received, you are not in contact with them. However, you have reached out to them. In my opinion, stick with reached out.

 Like (2) 

 **Lost** #3105
3 months, 2 weeks ago

Communication can be one-way or two-way. A council sending pamphlets to every household is a form of communication, even if they don't know that anyone read it.

 Like

 **Walторious** #5791 (Supporter)
3 months, 2 weeks ago

I love how this entire comment thread is a semantics discussion.

For the record, I agree with the majority of posters. "Reached out to" and "contacted" can be used interchangeably but I think they have slightly different implications, as others have already explained.

I will say that I do not understand the opposition to the phrase "reached out to". It doesn't sound convoluted to me. Some comments pointed out that it's metaphorical, is that the issue? A preference for literal rather than metaphorical language?

 Like (3) 

 **Mal** #7726
3 months, 2 weeks ago

I doubt that's it, or at least all of it, since the first meaning in the dictionary for "contact" is "to touch." That's not only metaphorical, it's pretty much the same metaphor. Using metaphors, especially spatial ones, is just more or less how our language works and most people don't even notice it, never mind have a problem with it. Sometimes a particular metaphor is more irritating to particular people, maybe just because it's more noticeable for some reason, hence seeming more affected? But I don't know why this is so in this case and I don't think it's quite the same as a preference for literal language in any other case either.

Edited 3 months, 2 weeks ago

DIGERATI_000435

[Like \(1\)](#)

ShotPaperRockGun #9604
3 months, 2 weeks ago

Either is fine. The objective is for the reader to understand the content. A commonly used phrase can help with that.

Each line of copy doesn't exist in a vacuum; whether a response has been received or not, the context leaves no room for the implications discussed in several responses.

I wonder if the eds and dep eds have these sorts of conversations a lot.

[Like \(1\)](#)

frymaster #7926
3 months, 2 weeks ago

I'm slightly concerned that DMCA abuse is quite rightly something people are concerned about, except if it's a plucky underdog. Grindheim does NOT have a good-faith belief his copyright is being violated, because he knows damn well he signed over the rights to the publisher. He's in a dispute with the publisher, and if he can't resolve that with emails, the answer is to sue them. Lying to the storefronts about the situation - and it IS lying - is just childish

[Like \(3\)](#)

DEspresso #3397
3 months, 2 weeks ago

From a consumer point of view it would be nice if they (valve) continued selling it and held the earnings in escrow until a court decides the rightful owner.

[Like \(2\)](#)

icarussc #0665
3 months, 2 weeks ago

Ah, a dispute between a developer that no publisher will ever work with again, and a publisher that no developer will ever work with again. How lovely.

[Like \(1\)](#)

▶
×

▶
×

MORE ON THE OUTBOUND GHOST

Valve delist The Outbound Ghost on Steam after its lead developer says don't buy the game

UPDATE: The game's now returned to Steam

CJ Wheeler, 5 months ago [14](#)

MORE NEWS

Star Wars: The Old Republic's ongoing development may shift from BioWare to an external studio

Blizzard say Diablo IV is their fastest selling game ever

Punishing tragicomic RPG Lisa: The Painful is getting a definitive edition

The RPS Game Club pick for June is The Tartarus Key!

Diablo Blizza expand

ROCK PAPER SHOTGUN

We've been talking, and we think that you should wear clothes

Total coincidence, but we sell some clothes

[Buy RPS stuff here](#)

 Search

Rock Paper Shotgun is owned by Gamer Network Limited, a ReedPop company and subsidiary of Reed Exhibitions Limited.

© 2023 Gamer Network Limited. Gateway House, 29 The Quadrant, Richmond, Surrey, TW9 1DN, United Kingdom, registered under company number 03882481.

All rights reserved. No part of this website or its content may be reproduced without the copyright owner's permission.



Explore	Popular Now	Helpful Links	ReedPop	Events
Latest	Bestest Bests	About Us	Cosplay Central	EGX
News	Free games	Advertise with us	Dicebreaker	MCM Comic Con
Reviews	Supporters	Archive	Digital Foundry	PAX
Hardware	Deals	Authors	Europgamer	Star Wars Celebration
Features	Podcasts	Code of Conduct	Gamesindustry.biz	
Videos	Discord	Contact Us	Jelly Deals	
Guides	RSS	Corporate Site	Nintendo Life	
Games		Editorial Policy	Popverse	
		Review Policy	Pure Xbox	
		Terms & Conditions	Push Square	
		Privacy Links	The Haul	
		Cookie Policy	VG247	
		Privacy Policy	VGC	
		Your Privacy Choices		
		Manage cookie settings		